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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/824,061	04/14/2004	Oliver C. Moghissi	CCT 106	6074
2555	7590	06/28/2005	EXAMINER	
KREMBLAS, FOSTER, PHILLIPS & POLICK 7632 SLATE RIDGE BOULEVARD REYNOLDSBURG, OH 43068			TERESINSKI, JOHN	
		ART UNIT	PAPER NUMBER	
		2858		

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/824,061	MOGHISI ET AL.
	Examiner	Art Unit
	John Teresinski	2858

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 13 May 2005.

2a) This action is FINAL.                            2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-10 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-10 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- Notice of References Cited (PTO-892)
- Notice of Draftsperson's Patent Drawing Review (PTO-948)
- Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4/14/04, 5/13/05.
- Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- Notice of Informal Patent Application (PTO-152)
- Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5 and 7-10 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S.

Patent No. 5,256,979 to Moorman.

Regarding claim 1, Moorman discloses measuring first potential by connecting a voltage measuring circuit, having a first input impedance (R2), across the measured circuit and recording the first potential (column 3 lines 10-25), changing the input impedance of voltage measuring circuit (column 3 lines 10-25), measuring a second potential with the voltage measuring circuit connected across the measured circuit, the voltage measuring circuit, the voltage measuring circuit having the second input impedance (R3) and recording the second potential (column 3 lines 10-25) and solving simultaneous equations, describing the connected measured voltage measuring circuits, for the potential of the voltage source (column 3 lines 10-20).

Regarding claim 2, Moorman discloses the input impedance is changed by a resistive circuit element from one state to a second state, the states being connected in the measuring circuit and disconnected from the measuring circuit (Fig. 1).

Regarding claim 3, Moorman disclose an additional measurement is made for one additional input impedance (Fig. 3 elements 10a-c).

Regarding claim 4, Moorman disclose the equations as cited (column 3 lines 20-35).

Regarding claim 5, see claim 2.

Regarding claim 7, Moorman disclose a microcontroller (Fig. 2 element 14).

Regarding claims 8 and 9 see claim 2 above.

Regarding claim 10, see claim 4 above.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moorman in view of U.S. Patent No. 6,107,811 to Caudill et al..

Regarding claim 6, Moorman does not disclose a buried metal object in soil or reference electrode in the soil. Caudill et al. disclose a monitoring system for cathodic protection including a buried metal object in soil and a reference electrode in the soil (column 3 lines 34-64). It would have been obvious to one of ordinary skill in the art at the time the invention was made to perform the voltage measurement method in an underground environment as taught by Caudill et al. into Moorman for the purpose of providing a sensor with increased utility.

***Conclusion***

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Teresinski whose telephone number is (571) 272-2235. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie Lefkowitz can be reached on (571) 272-2180. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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JT  
June 25, 2005

*Anjan Deb*  
ANJAN DEB  
PRIMARY EXAMINER